Stephen E. Fitzgerald Senior Environmental Counsel Phone: (972) 687-7515 5005 LBJ Freeway, Suite 1350 Dallas, Texas 75244-5119 Fax: (713) 985-1371

July 25, 2014

Via E-Mail and Federal Express Overnight

Ms. Bonnie Hriczko Removal Action Branch U.S. Environmental Protection Agency Region II 2890 Woodbridge Avenue, Bldg. 205 (MS-211) Edison, New Jersey 08837

Re: Response to Request for Information Pursuant to Section 104(e) of CERCLA for the Superior Barrel and Drum Site, Elk, Gloucester County, New Jersey (the "Site")

Dear Ms. Hriczko:

Glenn Springs Holdings, Inc., on behalf of its affiliate Occidental Chemical Corporation ("Occidental" or "Company"), hereby provides this letter response (the "Response") to the United States Environmental Protection Agency's ("USEPA") Request for Information, received June 17, 2014, pursuant to CERCLA §104(e) regarding the above Site (the "Request"). The Request was sent to an entity named "Occidental Chemical Holding." I believe USEPA intended to send the Request to the Company.

Subject to the objections herein, the Company conducted a search for any responsive information relating to the Site and the subject matter of the USEPA's Request. The Response does not include characterization or interpretation of any document included at Attachment "A" and does not include copies of documents provided to the Company by USEPA on June 25, 2014. USEPA set the response date as July 17, 2014, with an extension to July 25, 2014. The answers provided herein reflect information and knowledge of the Company as of the date of this letter. To the extent the Company has been able to locate in its possession non-privileged and relevant documents responsive to the Request, confidential copies are enclosed with the Response.

GENERAL OBJECTIONS

- 1. The Company objects to the Request to the extent it seeks information not calculated to discover relevant information.
- 2. The Company objects to the Request to the extent it seeks information protected by the attorney-client privilege, the attorney work-product doctrine, or any other applicable privilege or rule that protects such information from disclosure.
- 3. The Company objects to the Request to the extent that it is unduly burdensome, oppressive, overbroad, and unreasonable.
- 4. In particular, and without limitation, the Company objects to the factual background given in the Request to the extent it presumes accuracy or requests an admission of information contained therein.
- 5. With regard to the documents attached hereto, the Company specifically preserves its right to establish the authenticity, relevance, credibility, reliability and accuracy of each original document and any information contained therein as provided by the Federal Rules of Evidence.

SPECIFIC OBJECTIONS TO DIRECTIONS

- 1. The Company objects to Direction 1 to the extent it requests privileged information.
- 2. The Company objects to Direction 9 to the extent it requires speculation.

SPECIFIC OBJECTIONS TO DEFINITIONS

1. The Company objects to Definition 3 to the extent it is unduly burdensome, overbroad and unreasonable. Therefore Responses are limited to the Company.

Without waiving the foregoing and subject to the additional specific objections set forth in the Company's individual responses, the Company responds as follows:

General Information about the Company Requested:

- 1. a. State the correct legal name of the Company. <u>Response</u>: Occidental Chemical Corporation.
 - Identify the legal status of the Company (corporation, partnership, specify if other) and the state in which the Company was organized.
 <u>Response</u>: The Company is a corporation organized under the laws of the State of New York.

- c. State the name(s) and address(es) of the officer(s) of the Company.

 Response: Company officers can be reached through Mr. Scott King, Vice President and General Counsel, Occidental Chemical Corporation, 5005 LBJ Freeway, Suite 2200, Dallas, TX 75244.
- d. If the Company has subsidiaries or affiliates, or is a subsidiary of another organization, identify these related companies and state the name(s) and address (es) of the officer(s) of those organizations. Provide the same information for any further parent/subsidiary relationships.

<u>Response</u>: The Company objects to this request to the extent it is overly broad, unduly burdensome, unreasonable, and not calculated to discover relevant information. Without waiving its objection, the Company states that it is a subsidiary of Occidental Chemical Holding Corporation. The Company has five wholly-owned domestic subsidiaries.

- e. If the Company is a successor to, or has been succeeded by, another, identify such other company and provide the same information requested above for the predecessor or successor company.
 - <u>Response</u>: The Company was formerly named Hooker Electrochemical Company, Hooker Chemical Corporation and Hooker Chemicals & Plastics Corp.
- f. If the Company transacted business with SBD in the name of an entity not already disclosed, give the name of such entity and state its relationship to the Company. *Response*: The Company objects to request 1f on the ground that "SBD" is not defined in the Directions or Definitions sections of the Instructions. The Company further objects to this request to the extent that it presupposes that the Company transacted business with Superior Barrel and Drum Company, Inc. (hereinafter "Superior") at the Site. See Response 3a, *infra*. Without waiving its objection, the Company herein responds to request 1f by providing information and documents pertaining to Superior.
- 2. a. Describe in detail the nature of your Company's business during the years 1974 to the present. If the nature of the business has not been constant, describe the changes that have occurred, including any name changes, and when they occurred.
 - **Response:** The Company is primarily a manufacturer of chlorine, caustic soda, vinyl chloride monomer, and polyvinyl chloride.
 - b. Describe your Company's operations from 1974 to the present and identify all chemicals used or produced as a result of your Company's operations during that period, including any chemical substances used to clean equipment or machinery and the nature and chemical constituents of all waste streams and their disposition.
 - **Response:** The Company objects to this request to the extent it is overly broad, unduly burdensome, and unreasonable. See Response to request 2a, above.

Company's Relationship to Superior Barrel and Drum Information Requested:

3. a. State whether the Company or any Company facility conducted any business transactions with SBD for the disposal, treatment, or storage of any barrels, drums, or other containers (hereinafter collectively referred to as "Containers").

Response: The Company objects to request 3a on the ground that "SBD" is not defined in the Directions or Definitions sections of the Instructions. It is therefore unclear and ambiguous as to whether request 3a seeks information related to Superior Barrel and Drum Company, Inc. (which USEPA defines as "SBD" in the cover letter to this Request) or whether request 3a seeks information related to Superior's Elk Township, Gloucester County location, defined in the Request as the "Site." Without waiving its objections, the Company herein responds to request 3a by providing information and documents pertaining to the Company's transactions with the entity Superior.

The Company further objects to request 3a to the extent it presupposes that any transactions between the Company and Superior were for the disposal, treatment or storage of Containers at the Site. The Company did not conduct any business transactions with Superior for the disposal, treatment, or storage of any Containers at the Site. The Company engaged in certain business transactions with Superior for the recycling of empty containers without reference to the Site or any destination in the documents (produced herewith) reflecting the transactions.

The following additional comment is offered for USEPA's information: The Company's search for documents responsive to this Request located some documents reflecting Superior's transportation of Containers from the Company to unspecified sites. Other documents show undetailed payments made by Superior to the Company. Those documents do not establish that Containers were transported to the Site in Elk Township, Gloucester County, New Jersey. In fact, USEPA has conducted formal investigations into at least two other sites, i.e., the Metro Container Corporation site in Trainer, Pennsylvania, and the Martin Aaron, Inc. site in Camden, New Jersey. At each of those locations, USEPA concluded that Containers that were the subjects of transactional documents between the Company and Superior were sent to those sites. Any of the invoices, payments or bills of lading produced in response to request 3a may in fact relate to the Metro Container Corporation site or the Martin Aaron, Inc. site. The Company cannot, therefore, identify any business transactions for Containers that were sent to the Site, i.e., the Elk Township, Gloucester County facility.

Preserving and notwithstanding the objections detailed above, the Company attaches a Summary Table of Documents at Attachment "A" and documents (Bates Nos. SBD 000001 through SBD 000055).

- b. If so, identify each such facility and describe the relationship between the Company and SBD, including the nature of services rendered or products sold to the Company.
 - **Response:** The Company's former Lower Pottsgrove, Pennsylvania facility contracted with Superior for the recycling of empty drums.
- c. Provide copies of any contracts or agreements between the Company and SBD.

 <u>Response</u>: See Response to request 3a, and documents attached (Bates Nos. SBD 000001 through SBD 000055).
- 4. a. For each facility identified in Question 3, state the nature of the operations conducted at the facility, including the time period in which the facility operated.

 Response: The Lower Pottsgrove, Pennsylvania facility was a PVC manufacturing facility during the relevant time period. The facility discontinued manufacturing operations in 2005.
 - b. State the name, address and current RCRA Identification Number of each facility.

 <u>Response:</u> Occidental Chemical Corporation, Armand Hammer Boulevard,
 Lower Pottsgrove, PA 19464; RCRA No. PAD002334753.
- 5. For each transaction between the Company and SBD, provide the following information, which may be provided in tabular format.
 - a. Identify the specific dates of each transaction and the facility involved with each transaction. Where an exact date cannot be provided for a transaction, provide an approximation by month and year.
 - **Response:** See Response to request 3a above. Other than stated in the Response to request 3a above, after diligent inquiry the Company has not located information or knowledge responsive to this request.
 - b. Identify the number of Containers that were the subject of each such transaction.

 Response: See Response to request 3a above. Other than stated in the Response to request 3a above, after diligent inquiry the Company has not located information or knowledge responsive to this request.
 - c. Generically describe each Container that was the subject of each such transaction, including the Container capacity and type (example: 55-gallon closed head steel drums, etc.).
 - <u>Response</u>: See Response to request 3a and documents attached. Other than stated in the Response to request 3a above, after diligent inquiry the Company has not located information or knowledge responsive to this request.
 - d. Identify the intended purpose and nature of each such transaction (example: Company products sold to SBD, Company waste disposed of by SBD, Company products purchased from SBD, Services rendered to or from the Company, to or from SBD, etc.).

<u>Response</u>: The intended purpose of each transaction was the recycling of empty drums. See also, Response to request 3a above. Other than stated in the Response to request 3a above, after diligent inquiry the Company has not located information or knowledge responsive to this request.

e. State whether each Container that was the subject of the transaction contained any substance(s) at the time of the transaction. As to each Container that contained any substance:

Response: Each transaction was for the recycling of empty drums. See also, Response to request 3a above. Other than stated in the Response to request 3a above, after diligent inquiry the Company has not located information or knowledge responsive to this request.

- (1) Identify each such substance, including its specific chemical constituents(s), physical state, quantity by volume and weight, and other characteristics; and **Response:** See Response to request 5e above. Other than stated in the Response to request 5e above, after diligent inquiry the Company has not located information or knowledge responsive to this request.
- (2) Provide all written analyses that may have been generated for each such substance or which may be in the custody or control of the Company and all material safety data sheets, if any, relating to each such substance.

 Response: See Response to request 5e above.
- 6. Provide copies of all documents relating in any way to each transaction, including copies of delivery receipts, invoices, or payment devices.

 Response: The Company objects to this request to the extent it is varied ambiguous.

Response: The Company objects to this request to the extent it is vague, ambiguous, unreasonable, and calls for speculation. See Response to request 3a above and attached documents.

7. Identify all persons who might have knowledge of the transaction or who had any responsibility regarding the transaction.

Response:

Michael Shirey, HES Manager, Occidental Chemical Corporation, Houston, Texas. David Madeira, Project Manager, Glenn Springs Holdings, Inc., Pottstown, Pennsylvania Bert A. Walker, formerly Site Services Superintendent for Occidental Chemical Corporation at the Lower Pottsgrove, Pennsylvania facility. Investigation is continuing.

8. If you contend that any Container identified in response to Question 5, above, did not contain any substance at the time of the transaction, state whether such Container had previously been used by the Company to contain any substance, and if so:

- a. Identify all substances previously contained within such Container, including its specific chemical constituent(s), physical state, and other characteristic(s); and
- b. Provide as to such substance(s), all written analyses that may have been generated for each such substance or which may be in the custody or control of the Company and all material safety data sheets, if any, relating to each such substance.

Response: The Containers provided to Superior by the Company were empty drums. The drums had previously contained raw materials delivered to the Company's Lower Pottsgrove, Pennsylvania facility. The Company has no specific information or knowledge as to the prior raw material content of any Container provided to Superior.

9. Describe in detail any treatment of any Container that may have been performed by or on behalf of the Company prior to the time that the Container was transferred from the Company, including any process or procedure by which the Container was emptied or cleaned.

<u>Response</u>: Containers were emptied of raw materials during manufacturing operations or subsequently. As appropriate, Containers were rinsed and/or steam-cleaned prior to removal by Superior. See Response to request 3a above.

10. If you sent any Container by means of any third party transporter, identify each such transporter, including the name and address of such transporter, and identify in which of the transactions such transporter acted.

Response: See Response to request 3a above. Other than stated in the Response to request 3a above, after diligent inquiry the Company has not located information or knowledge responsive to this request.

11. Identify each person consulted in responding to these questions and all questions on which he or she was consulted.

Response:

Michael Shirey (requests 3, 7, 8, 9)

David Madeira (requests 3 and 7)

Bert A. Walker (requests 3, 7, 8, 9)

12. Identify any other person or entity (e.g., individual, company, partnership, etc.) having knowledge of facts relating to the questions which are the subject of this inquiry. For each such person that you identify, provide the name, address and telephone number of that person, and the basis of your belief that he or she has such knowledge. For past and present employees, include their job title(s) and a description of the responsibilities.

Response: None. Investigation is continuing.

13. Supply any additional information or documents that may be relevant or useful to identify other sources who disposed of or transported Containers to the Site.

*Response: None.

Respectfully submitted,

STEPHEN E. FITZGERALD Senior Environmental Counsel Glenn Springs Holdings, Inc. 5005 LBJ Freeway, Suite 1350 Dallas, Texas 75244-5119

cc: William Tucker via email at tucker.william@epa.gov

CERTIFICATION OF ANSWERS TO REQUEST FOR INFORMATION

Superior Barrel and Drum Site, Elk, Gloucester County, New Jersey

STATE OF TEXAS

COUNTY OF DALLAS

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document (response to EPA Request for Information) and all documents submitted herewith, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete, and that all documents submitted herewith are complete and authentic unless otherwise indicated. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

NAME Stephen E. Fitzgerill

TITLE: Sr. Environmety Cours

SIGNATURE

SWORN TO BEFORE ME THIS 25 day of July, 2014.

VICTORIA LYNN SMITH
Notary Public, State of Texas
My Commission Expires
September 11, 2017

Notary Public in and for the State of Texas

ATTACHMENT "A"

SUMMARY TABLE OF DOCUMENTS PRODUCED

09/05/1984	Invoice from Superior to the Company		SBD 000001
10/10/1984	Invoice from Superior to the Company	The Company consigned to Superior 234 drums.	SBD 000002
06/11/1986	Invoice from Superior to the Company	The invoice references 381 "empty" open head drums.	SBD 000003
06/12/1986	Check from Superior to the Company	Payment of \$285.75	SBD 000003
12/09/1986	Invoice from Superior to the Company	The invoice references 282 "empty" open head drums.	SBD 000004
12/09/1986	Check from Superior to the Company	Payment of \$211.50	SBD 000004
02/28/1987	Invoice from Superior to the Company	The invoice references 126 "empty" drums.	SBD 000008
02/28/1987	Check from Superior to the Company	Payment of \$94.50	SBD 000008
04/23/1987	Invoice from Superior to the Company	The invoice references 193 "empty" drums.	SBD 000007
04/23/1987	Check from Superior to the Company	Payment of \$144.75	SBD 000007

05/19/1987	Invoice from Superior to the Company	The invoice references 159 "empty" drums.	SBD 000006
05/19/1987	Check from Superior to the Company	Payment of \$119.25	SBD 000006
06/29/1987	Invoice from Superior to the Company	The invoice references 80 "empty" drums.	SBD 000005
06/29/1987	Check from Superior to the Company	Payment of \$60.00	SBD 000005
09/24/1987	Invoice from Superior to the Company	The invoice references 162 drums.	SBD 000009
09/24/1987	Check from Superior to the Company	Payment of \$121.50	SBD 000009
11/23/1987	Invoice from Superior to the Company	The invoice references 234 "empty" drums.	SBD 000010
11/23/1987	Check from Superior to the Company	Payment of \$175.50	SBD 000010
12/23/1987	Invoice from Superior to the Company		SBD 000011
12/23/1987	Check from Superior to the Company	Payment of \$304.50	SBD 000011
01/19/1988	Invoice from Superior to the Company		SBD 000012
01/26/1988	Invoice from Superior to the Company		SBD 000012

02/10/1988	Invoice from Superior to the Company		SBD 000013
02/xx/1988	Invoice from Superior to the Company	The Company certified that the drums are "empty" pursuant to USEPA regulations.	SBD 000014
02/21/1988	Invoice from Superior to the Company		SBD 000015
02/22/1988	Check from Superior to the Company	Payment of \$227.50	SBD 000015
02/25/1988	Invoice from Superior to the Company		SBD 000016
04/12/1988	Invoice from Superior to the Company	The invoice references 217 drums.	SBD 000017
04/12/1988	Check from Superior to the Company	Payment of \$175.50	SBD 000017
04/28/1988	Invoice from Superior to the Company		SBD 000018
04/28/1988	Check from Superior to the Company	Payment of \$168.25	SBD 000018
05/17/1988	Invoice from Superior to the Company	The invoice references 234 drums.	SBD 000019
06/14/1988	Invoice from Superior to the Company	The invoice references 234 drums.	SBD 000020
06/14/1988	Check from Superior to the Company	Payment of \$87.50	SBD 000020

06/28/1988	Invoice from Superior to the Company		SBD 000021
06/28/1988	Check from Superior to the Company	Payment of \$125.50	SBD 000021
08/01/1988	Check from Superior to the Company	Payment of \$150.00	SBD 000022
09/29/1988	Invoice from Superior to the Company	The Company certified that the drums are "empty" pursuant to USEPA regulations.	SBD 000023
09/29/1988	Check from Superior to the Company	Payment of \$106.06	SBD 000024
10/12/1988	Invoice from Superior to the Company	The Company certified that the drums are "empty" pursuant to USEPA regulations.	SBD 000025
11/29/1988	Invoice from Superior to the Company	The invoice references 222 drums. The Company certified that the drums are "empty" pursuant to USEPA regulations.	SBD 000026
11/29/1988	Check from Superior to the Company	Payment of \$136.50	SBD 000026
02/26/1989	Invoice from Superior to the Company		SBD 000027
02/26/1989	Check from Superior to the Company	Payment of \$42.50	SBD 000027
05/05/1989	Invoice from Superior to the Company	The invoice references 238 drums. The Company certified that the drums are "empty" pursuant to USEPA regulations.	SBD 000028

05/05/1989	Check from Superior to the Company	Payment of \$90.00	SBD 000028
05/11/1989	Invoice from Superior to the Company	The Company certified that the drums are "empty" pursuant to USEPA regulations.	SBD 000029
06/13/1989	Invoice from Superior to the Company	The invoice references 265 drums. The Company certified that the drums are "empty" pursuant to USEPA regulations.	SBD 000030
08/10/1989	the Company	The invoice references 52 drums. The Company certified that the drums are "empty" pursuant to USEPA regulations.	SBD 000031
09/12/1989	Invoice from Superior to the Company	The invoice references 170 drums. The Company certified that the drums are "empty" pursuant to USEPA regulations.	SBD 000032
10/12/1989	Invoice from Superior to the Company	The invoice references 107 drums. The Company certified that the drums are "empty" pursuant to USEPA regulations.	SBD 000033
12/05/1989	Invoice from Superior to the Company	The invoice references 228 drums. The Company certified that the drums are "empty" pursuant to USEPA regulations.	SBD 000034
12/15/1989	Check from Superior to the Company	Payment of \$78.50	SBD 000034
02/01/1990	Invoice from Superior to the Company	The Company certified that the drums are "empty" pursuant to USEPA regulations.	SBD 000035
02/20/1990	Invoice from Superior to the Company	The Company certified that the drums are "empty" pursuant to USEPA regulations.	SBD 000036

03/01/1990	Invoice from Superior to the Company	The invoice references 226 drums. The Company certified that the drums are "empty" pursuant to USEPA regulations.	SBD 000037
04/18/1990	Invoice from Superior to the Company	The Company certified that the drums are "empty" pursuant to USEPA regulations.	SBD 000038
05/16/1990	Invoice from Superior to the Company	The Company certified that the drums are "empty" pursuant to USEPA regulations.	SBD 000039
09/25/2003	Invoice from Superior to the Company	The Company certified that the drums are "empty" pursuant to USEPA regulations.	SBD 000040
10/10/2003	Straight Bill of Lading	The Company consigned to Superior 140 used drums.	SBD 000041
10/28/2003	Straight Bill of Lading	The Company consigned to Superior 120 used drums.	SBD 000042
11/12/2003	Straight Bill of Lading	The Company consigned to Superior 120 used drums.	SBD 000043
11/20/2003	Invoice from Superior to the Company	The Company certified that the drums are "empty" pursuant to USEPA regulations.	SBD 000044
12/2003	Straight Bill of Lading	The Company consigned to Superior 174 used drums.	SBD 000045
02/06/2004	Purchase Order	The Company contracted with Superior to recycle a trailer of "empty" drums.	SBD 000046 through SBD 000049
02/10/2004	Straight Bill of Lading	The Company consigned to Superior 182 used drums.	SBD 000050

02/10/2004	Invoice from Superior to the Company	The invoice references 182 "empty" used drums.	SBD 000051
12/19/2006	Invoice from Superior to the Company	The Company consigned to Superior 174 used drums. The Company certified that the drums are "empty" pursuant to USEPA regulations.	SBD 000052
Date Illegible	Invoice from Superior to the Company		SBD 000053
Undated	Straight Bill of Lading	The Company consigned to Superior 110 used drums.	SBD 000054
Undated	Invoice from Superior to the Company	The Company consigned to Superior 90 used drums. The Company certified that the drums are "empty" pursuant to USEPA regulations.	SBD 000055

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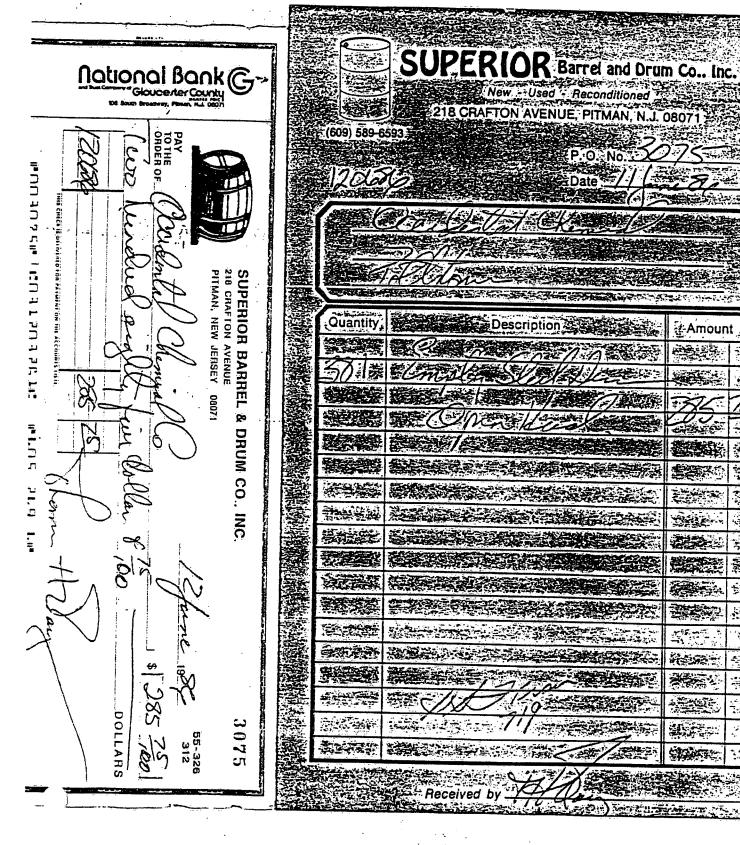
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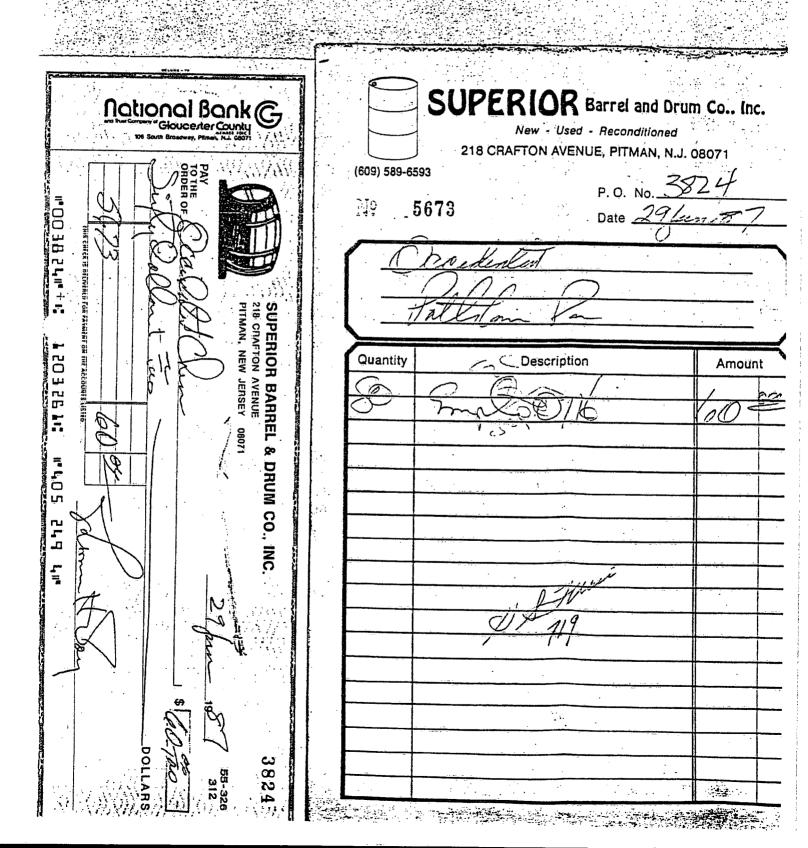
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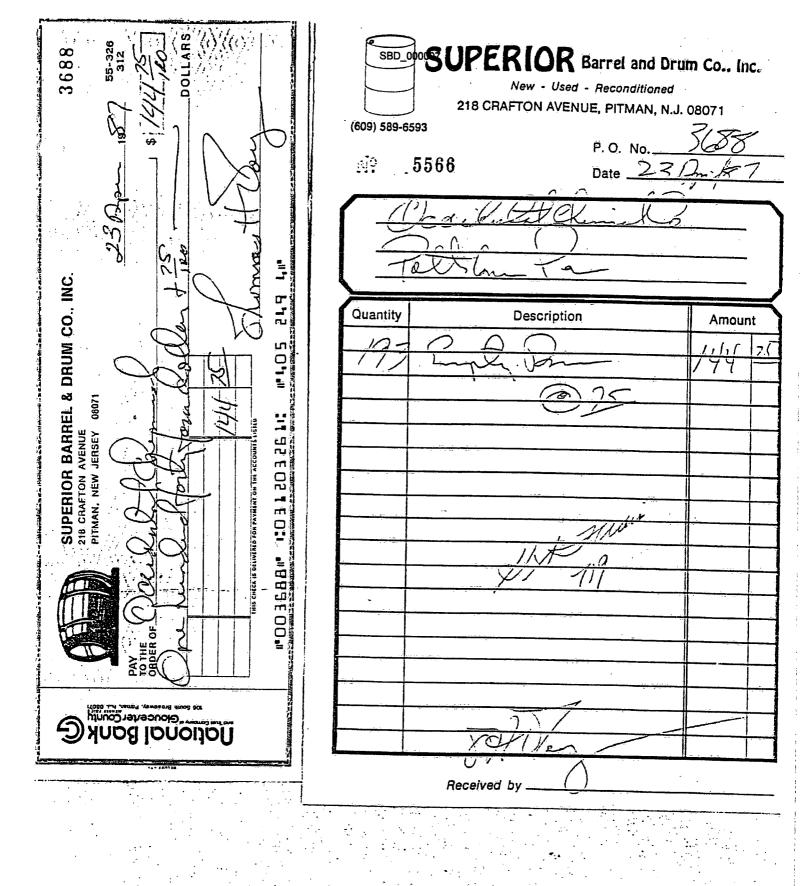
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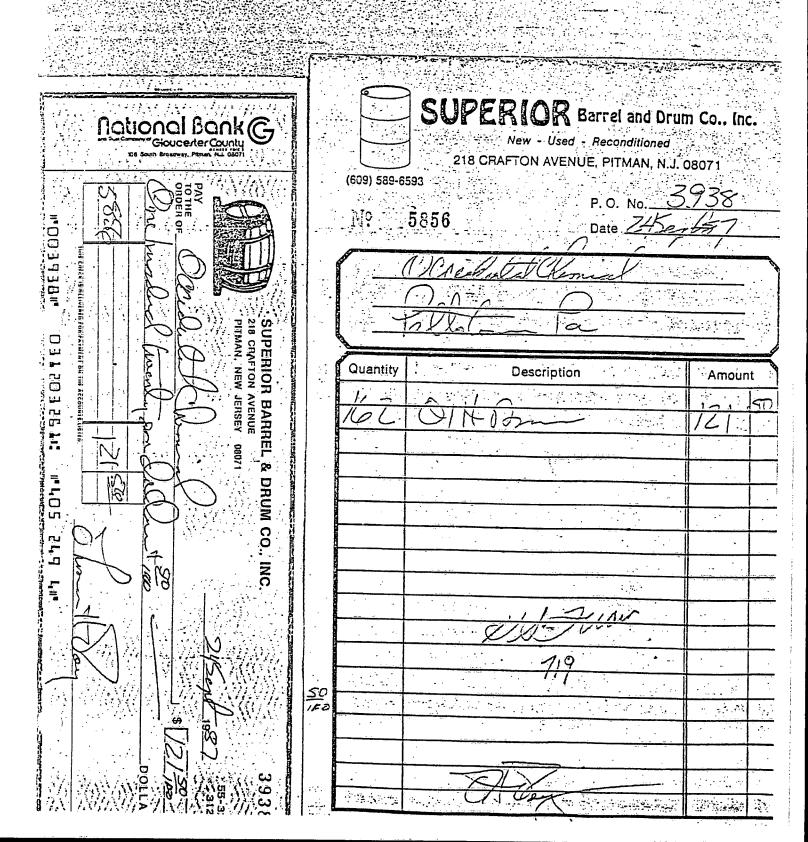


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SUPERIOR BARREL AND DRUM CO. INC.

218 CRAFTON AVE. • PITMAN, NJ 08071 • (609) 589-6593

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EMPTY DRUM CERTIFICATION

I hereby certify that these drums are "empty" as that term is defined in the National Environmental Protection Agency regulations, 40 CFR 261.7*, and that they have been properly prepared for transportation under the regulations of the U.S. Department of Transportation, 49 CFR 173.29.**

Print Name Signature

*With regard to most regulated residues, EPA's 40 CFR 261.7 says:

"A container, . . is empty if:

(I) All wastes have been removed that can be removed using the practices commonly employed to remove materials from that type of container, e.g., pouring, pumping, and aspirating,

(II) No more than 2.5 centimeters (one inch) of residue remain on the bottom of the container. . "

EPA has explained this rule, saying that "one inch of waste material is an overriding constraint and may remain in an empty container only if it cannot be removed by normal means. The rationale for this provision is that there are certain tars and other extremely viscous materials that will remain in the container even after the container is emptied by normal means."

For residues of products specifically listed by name in 40 CFR 261.33(e), EPA says the container is empty only "if the container. . has been triple-rinsed using a solvent capable of removing" the product, or has been cleaned by another method shown to achieve equivalent removal.

**DOT's 49 CFR 173.29 says that all openings on the empty container must be closed, and that all markings and labels must be in place as if the drum were full of its original contents. A DOT shipping paper is not required for transportation of a drum for reconditioning via contract or private motor carrier. DOT placarding is not required for vehicles carrying empty containers.

"DEALER IN STEEL DRUMS"

SUPERIOR Barrel and Drum Co.. Inc.

New - Used - Reconditioned

218 CRAFTON AVENUE, PITMAN, N.J. 08071

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SUPERIOR Barrel and Drum Co., Inc.

New - Used - Reconditioned 218 CRAFTON AVENUE, PITMAN, N.J. 08071

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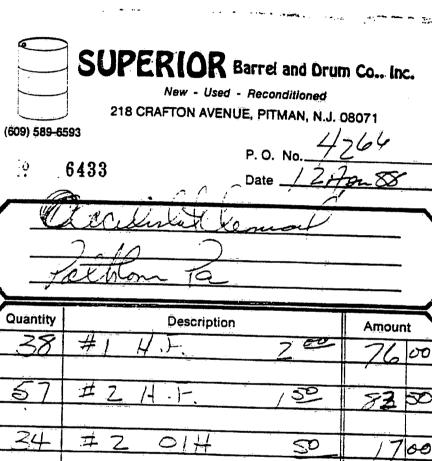
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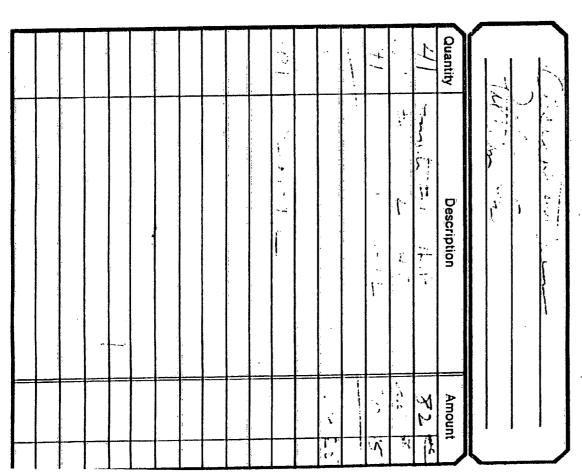
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New - Used - Reconditioned
218 CRAFTON AVENUE, PITMAN, N.J. 08071

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SUPERIOR Barrel and Drum Co., Inc.

New - Used - Reconditioned 218 CRAFTON AVENUE, PITMAN, N.J. 08071

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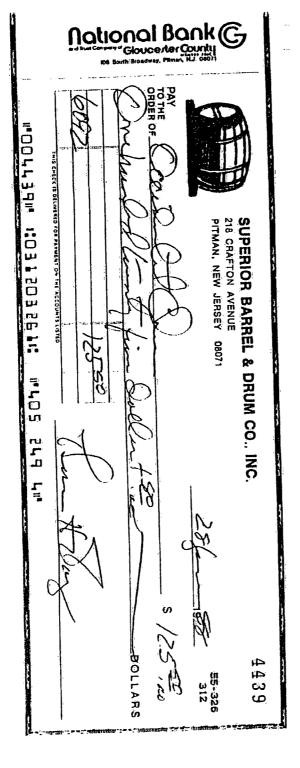
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SUPERIOR Barrel and Druss Co., Inc.

New - Used - Reconditioned
218 CRAFTON AVENUE, PITMAN, N.J. 08071

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SUPERIOR BARREL AND DRUM CO. INC.

218 CRAFTON AVE • PITMAN, NJ 08071 • (609) 589-6593

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SUPERIOR BARREL AND DRUM CO. INC.

218 CRAFTON AVE. • PITMAN, NJ 08071 • (609) 589-6593

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EMPTY DRUM CERTIFICATION

I hereby certify that these drums are "empty" as that term is defined in the National Environmental Protection Agency regulations, 40 CFR 261.7", and that they have been properly prepared for transportation under the regulations of the U.S. Department of Transportation, 49 CFR 173.29.**

Print Name K. N Shallesborn

Signature ___

*With regard to most regulated residues, EPA's 40 CFR 261.7 says:

"A container. . .is empty if:

(I) All wastes have been removed that can be removed using the practices commonly employed to remove materials from that type of container, e.g., pouring, pumping, and aspirating.

and

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SUPERIOR BARREL AND DRUM CO. INC.

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SUPERIOR BARREL AND DRUM CO. INC. 218 CRAFTON AVE • PITMAN, NJ 08071 • (609) 589-6593

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ent of Tran	It these drums are "empty" as that term is defined in 3261.7*, and that they have been properly prepared to 3261.7*, and that they have been properly prepared to 3261.7*.	the National Environmental of transportation under the re	Protection Agency guilations of the U.S Agency 1987



SUPERIOR BARREL AND DRUM CO. INC.

218 CRAFTON AVE. • PITMAN, NJ 08071 • (609) 589-6593

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EMPTY DRUM CERTIFICATION

I hereby certify that these drums are "empty" as that term is defined in the National Environmental Protection Agency regulations, 40 CFR 261.7*, and that they have been properly prepared for transportation under the regulations of the U.S. Department of Transportation, 49 CFR 173.29.**

Signature Sheller

*With regard to most regulated residues, EPA's 40 CFR 261.7 says:

"A container . . is empty if:

(I) All wastes have been removed that can be removed using the practices commonly employed to remove materials from that type of container, e.g., pouring, pumping, and aspirating.

and

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I hereby certify that regulations, 40 CFF Department of Trail	at these drums are "empty" as that term is defined in the Na 3261.7*, and that they have been properly prepared for transportation, 49 CFR 173.29.**		Protection Agency gulations of the U.S.
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SUPERIOR BARREL AND DRUM CO. INC.

218 CRAFTON AVE. • PITMAN, NJ 08071 • (609) 589-6593

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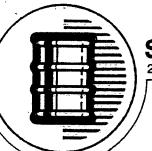
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	SUPERIOR BARREL AND DRUM	CO. INC.	
	218 CRAFTON AVE. • PITMAN, NJ 08071 •	(609) 589-6593	* vinitage of the second
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SUPERIOR BARREL AND DRUM CO. INC.

218 CRAFTON AVE. • PITMAN, NJ 08071 • (609) 589-6593

NAME COLLABORATION

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EMPTY DRUM CERTIFICATION

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"DEALER IN STEEL DRUMS"

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SUPERIOR BARREL AND DRUM CO. INC. 218 CRAFTON AVE • PITMAN, NJ 08071 • (609) 589-6593

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method shown to achieve equivalent removal.

**DOT's 49 CFR 173.29 says that all openings on the empty container must be closed, and that all markings and labels must be in place as if the drum were full of its original contents. A DOT shipping paper is not required for transportation of a drum for reconditioning via contract or private motor carrier. DOT placarding is not required for vehicles carrying empty containers.



SUPERIOR BARREL AND DRUM CO. INC. 218 CRAFTON AVE • PITMAN, NJ 08071 • (609) 589-6593

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*With regard to most regulated residues, EPA's 40 CFR 261.7 says:

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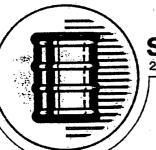
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EPA has explained this rule, saying that "one inch of waste material is an overriding constraint and may remain in an empty container only if it cannot be removed by normal means. The rationale for this provision is that there are certain tars and other extremely viscous materials that will remain in the container even after the container is emptied by normal means."

For residues of products specifically listed by name in 40 CFR 261.33(e). EPA says the container is empty only "if the container. . has been triple-rinsed using a solvent capable of removing" the product, or has been cleaned by another method shown to achieve equivalent removal.

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SUPERIOR BARREL AND DRUM CO. INC.

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*With regard to most regulated residues, EPA's 40 CFR 261.7 says:

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Occidental Chemical Corporation

PURCHASE ORDER

THIS NUMBER MUST APPEAR ON ALL PACKAGES TRANSPORTATION PAPERS AND CORRESPONDENCE

ADDRESS CORRESPONDENCE REGARDING THIS ORDER TO: PURCHASE ORDER NO. CHANGE NO. Klein, R B 4500680846

OCCIDENTAL CHEMICAL CORP

DATE

PAGE

1 OF

PO Box 1136

POTTSTOWN PA 19464

USA

TEL: 610-327-6515 FAX: 610-327-6639

TO:

DELIVER TO:

02/06/2004

Pottstown

SUPERIOR BARREL & DRUM CO INC

PO Box 741

GLASSBORO NJ 08028

USA

Occidental Chemical Corporation

Armand Hammer Blvd

POTTSTOWN PA 19464

USA

ESP

Payment terms: Net 35 Days

Shipping Terms: FOB DEST FRT PREPAY & ADD

We require an order acknowledgment for the following items:

Item	Material Order	Description qty.Unit	Unit Value	Net Value	
00010		400 Dollars	1 00	400.00	

WORK:

SUBJECT TO THE TERMS AND CONDITIONS ON THE FACE HEREOF AND IN THE EXHIBITS ATTACHED HERETO, CONTRACTOR SHALL SUPPLY ALL LABOR, MATERIALS, EQUIPMENT, TOOLS, SUPERVISION, INSURANCE AND ALL ITEMS OF EXPENSE NECESSARY TO PERFORM THE "WORK" DESCRIBED BELOW, ON THE "WORK SITE" TO BE PROVIDED BY OWNER AT: POTTSTOWN PLANT SITE.

DESCRIPTION OF WORK:

PROVIDE ALL LABOR, MATERIAL, EQUIPMENT AND SUPERVISION

RECYCLE TRAILER OF EMPTY DRUMS

DISPOSE OF EMPTY CONTAINERS AS REQUIRED BY THE OWNER. TIME SCHEDULE:

CONTRACTOR AGREES TO COMMENCE THE WORK AND TO PROCEED WITH THE WORK AS RAPIDLY AS MAY BE CONSISTENT WITH GOOD WORK PRACTICES AND TO COMPLETE THE WORK AS REQUIRED.

PRICE: *

FOR FULL PERFORMANCE OF ALL THE WORK, OWNER SHALL PAY CONTRACTOR A PRICE OF: (AFFIX ATTACHMENT FOR PRICE AND ADDITIONAL PAYMENT TERMS IF OTHER THAN LUMP SUM).

INVOICE TO:

Occidental Chemical Corporation Accounts Payable Department P.O. BOX 1568 Addison, TX 75001-1568

ATTN: Pottstown

Occidental Chemical Corporatio

A/P Phone Number 800-699-5123

THIS ORDER EXPRESSLY LIMITS ACCEPTANCE TO T TERMS ON THE FACE AND AS ATTACHED, AND ANY ADDITIONAL OR DIFFERENT TERMS PROPOSED BY T SELLER ARE OBJECTED TO AND REJECTED UNLESS EXPRESSLY ASSENTED TO IN WRITING BY THE BUY

APPROVED:	OCCIDENTAL	CHEMICAL	CORPORATI
ACCEPTED:			

SELLER

Occidental Chemical Corporation

PURCHASE ORDER CONTINUATION

PURCHASE ORDER NO. CHANGE NO.

TO:

4500680846

SUPERIOR BARREL & DRUM CO INC

DATE

PAGE

PO Box 741

02/06/2004 2 OF 4

GLASSBORO NJ 08028

USA

Item Material

Order qty.Unit

Unit Value

Net Value

\$400.00 DOLLARS (U.S.) LUMP SUM

EXHIBITS:

THE FOLLOWING EXHIBITS ARE ATTACHED HERETO OR HAVE BEEN PREVIOUSLY

MAILED, AND ARE MADE A PART HEREOF:
EXHIBIT A: GENERAL TERMS AND CONDITIONS
EXHIBIT B: SAFETY, SECURITY AND HEALTH RULES
EXHIBIT C: INSTRUCTIONS TO CONTRACTORS
EXHIBIT D: FACIAL HAIR POLICY SP-75

Description

EXHIBIT E: EEO COMPLIANCE EXHIBIT G: INSURANCE REQUIREMENTS

OWNER'S SITE REPRESENTATIVE:

STAN GINIEWSKI (610) 327-6780

WILL BE THE PRIMARY CONTACT FOR ALL COMMUNICATIONS

BETWEEN THE OWNER AND THE CONTRACTOR.

THE OWNER'S SITE REPRESENTATIVE WILL COORDINATE CONTRACTOR'S ACTIVITIES WITH THOSE OF OTHER CONTRACTOR'S AND OWNER'S PLANT OPERATIONS.

AUTHORIZATION

ONLY THE INDIVIDUALS NAMED HEREIN ARE AUTHORIZED BY THE BUYER TO ISSUE RELEASES AGAINST THIS AGREEMENT. ANY ACCEPTANCE BY SELLER OF RELEASES MADE BY INDIVIDUALS, OTHER THAN THOSE SPECIFIED, PLACES SELLER AT RISK OF LOST COMPENSATION.

1. PLANT CONTACT STAN GINIEWSKI

SCHEDULE:

THE NATURE OF THIS PROJECT PRECLUDES CONTINUOUS ERECTION, AND/OR OPERATION. CONTRACTOR SHALL SCHEDULE HIS WORK, TO COORDINATE WITH THE OVERALL JOB PROGRESS.

CONTRACTOR SHALL NOT IMPEDE NOR IN ANY WAY INTERFERE WITH OWNER'S OPERATIONS.

CONTRACTOR SHALL BE RESPONSIBLE TO SCHEDULE ALL WORK TO COMPLETE THE PROJECT WITHIN THE AGREED TIME.

ANY CHEMICAL OR MATERIAL CONTAINING CHEMICALS PER OSHA'S HAZARD COMMUNICATION REGULATION, BROUGHT ON TO OWNER'S PROPERTY, MUST HAVE A "MATERIAL SAFETY DATA SHEET" (MSDS). AS A TERM OF THE AGREEMENT CONTRACTOR WILL SUPPLY OWNER A COPY PRIOR TO USE AND MAINTAIN MSDS'S AT THE JOB SITE, AVAILABLE FOR REVIEW UPON REQUEST. MSDS WILL BE PROVIDED BY CONTRACTOR TO:

OCCIDENTAL CHEMICAL CORPORATION

SAFETY DEPARTMENT

PO BOX 699

POITSTOWN, PA 19464

FAX: (610) 327-6601

OWNER SUPPLIED EQUIPMENT/MATERIAL:

OWNER IS NOT RESPONSIBLE FOR DAMAGE TO, OR THEFT OF, ANY CONSTRUCTION

* EQUIPMENT AND/OR TOOLS OWNED OR RENTED BY THE CONTRACTOR, OR ANY OF HIS SUBCONTRACTORS.

Occidental Chemical Corporation

PURCHASE ORDER CONTINUATION

PURCHASE ORDER NO. CHANGE NO.

TO:

4500680846

SUPERIOR BARREL & DRUM CO INC

DATE

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02/06/2004 3 OF 4

GLASSBORO NJ 08028

USA

Item Material Description Order gty.Unit

Unit Value

Net Value

QUALITY CONTROL:

ALL WORK AND MATERIALS PROVIDED BY CONTRACTOR, HIS SUBCONTRACTORS AND VENDORS SHALL BE OF GOOD QUALITY, FREE FROM DEFECTS, MEET OWNER'S SPECIFICATION, DRAWING AND CONTRACT AND AT ALL TIMES BE SUBJECT TO INSPECTION BY OWNER'S REPRESENTATIVE.
FAILURE ON THE PART OF OWNER TO DISCOVER OR REJECT WORK NOT IN ACCORDANCE WITH CONTRACT SHALL NOT BE DEEMED AN ACCEPTANCE OF THE WORK

OR WAIVER OF DEFECTS, NOR RELIEVE THE CONTRACTOR OF OBLIGATIONS TO CONFORM TO CONTRACT REQUIREMENTS.

HAZARDOUS WASTE:

AS A RESULT OF THE WORK EXECUTED UNDER THIS CONTRACT, HAZARDOUS WASTES (CONTAMINATED SOIL AND/OR DEMOLITION DEBRIS) MAY BE SENT TO DESIGNATED DISPOSAL SITE. OWNER WILL CLASSIFY THE TYPE OF WASTE AND PAY DISPOSAL FEES. EXCAVATION, LOADING AND TRANSPORTATION COSTS MUST BE INCLUDED IN CONTRACTOR'S WORK.

CLEAN UP:

CONTRACTOR WILL PARTICIPATE IN OWNER'S "CONSTRUCTION CLEAN-UP PROGRAM". ALL DEBRIS MUST BE PROPERLY DISPOSED OF IN A TIMELY MANNER AND IN ACCORDANCE WITH ALL FEDERAL, STATE, LOCAL AND PLANT SPECIFIC REGULATIONS.

CONFLICT OF DOCUMENTATION:

IN CASE OF CONFLICT, THE ORDER OF PRECEDENCE SHALL BE AS FOLLOWS IN RESOLVING SUCH CONFLICT: THE PURCHASE ORDER FACE, EXHIBIT A AND EXHIBIT B, ANY OTHER EXHIBITS, THE DRAWINGS AND SPECIFICATIONS, THE MODEL. CONTRACTOR INVOICING:

ALL INVOICES MUST SHOW THE PURCHASE ORDER NUMBER, RELEASE NUMBER, AND ANY OTHER RELEVANT NUMBERS ASSOCIATED WITH THE WORK. CONTRACT ACKNOWLEDGEMENT:

THE TERMS AND CONDITIONS SHALL APPLY AND A SIGNED ACKNOWLEDGEMENT OF THE ORDER MUST BE RETURNED WITHIN 7 DAYS OF RECEIPT OF THE WRITTEN PURCHASE ORDER.

FIDUCIARY RESPONSIBILITY:

CONTRACTOR RECOGNIZES AND UNDERSTANDS THIS CONTRACT COULD BE SUBJECT TO ABUSE. CONTRACTOR UNDERTAKES A FIDUCIARY RESPONSIBILITY TO MAINTAIN THIS CONTRACT AND ASSOCIATED SERVICES AT THE HIGHEST ETHICAL STANDARDS AND WITHOUT PREFERRED TREATMENT TO ANY OF OWNER'S EMPLOYEES. IT IS CONTRACTOR'S RESPONSIBILITY TO BRING TO THE ATTENTION OF OWNER'S MATERIALS MANAGEMENT DEPARTMENT ANY ABUSES TO SAME. CONTRACTOR RECOGNIZES FAILURE TO FOLLOW THE SPIRIT AND INTENT OF FIDUCIARY RESPONSIBILITY COULD MEAN TERMINATION OF CONTRACT. NOTIFICATION:

SERVICES OF ALL NOTICES UNDER THIS PURCHASE ORDER SHALL BE IN WRITING TO SITE REPRESENTATIVE OF CONTRACTOR OR OWNER OR MAILED TO THE PARTY INVOLVED AT ITS RESPECTIVE ADDRESS SET FORTH ON THE FRONT OF THIS ORDER, OR AT SUCH ADDRESS AS SUCH PARTY MAY PROVIDE IN WRITING FROM TIME TO

Occidental Chemical Corporation

PURCHASE ORDER CONTINUATION

PURCHASE ORDER NO. CHANGE NO.

TO:

4500680846

SUPERIOR BARREL & DRUM CO INC

DATE

PAGE

PO Box 741

02/06/2004 4 OF

GLASSBORO NJ 08028 USA

Item Material Description Order qty.Unit

Unit Value

Net Value

TIME IN ACCORDANCE WITH THIS NOTICE PROVISION. ANY SUCH NOTICE MAILED TO SUCH ADDRESS SHALL BE EFFECTIVE WHEN DEPOSITED IN THE UNITED STATES MAILING DULY ADDRESSED WITH POSTAGE PREPAID.

CONTRACTOR AGREES TO ENFORCE OWNER'S LOCAL FACILITY SAFETY AND LOSS PREVENTION REGULATIONS AND APPLICABLE GOVERNMENT REGULATIONS. CONTRACTOR IS EXPECTED TO EXERT PRIMARY CONTROLS THROUGH HIS LINE SUPERVISION TO OBTAIN DESIRED PERFORMANCE. FAILURE TO OBSERVE AND ENFORCE THESE REGULATIONS AND STANDARDS WILL BE CAUSE FOR TERMINATION OF THIS CONTRACT.

CONTRACTOR WILL SUPPLY TO THEIR EMPLOYEES ALL SAFETY EQUIPMENT AND PERSONAL PROTECTIVE EQUIPMENT REQUIRED FOR THE SAFE PERFORMANCE OF THE WORK.

NO OPEN FLAMES, SMOKING, CUITING, WELDING OR OPERATION OF INTERNAL COMBUSTION ENGINES WILL BE ALLOWED IN THE AREA WITHOUT SPECIFIC "HOT WORK PERMITS" ISSUED BY OWNER.

CONTRACTOR SHALL FULLY REVIEW AND MAINTAIN FAMILIARITY WITH "PROCESS SAFETY INFORMATION" WHICH IS ALSO AVAILABLE FROM OWNER'S SITE REPRESENTATIVE

CONTRACTOR SHALL REVIEW AND BECOME FAMILIAR WITH, AND SHALL ABIDE BY, OWNER'S POLICIES REGARDING HARASSMENT AS STATED IN OXYCHEM HUMAN RESOURCE POLICY 83:80 (DATED 05/15/95) AVAILABLE FROM OWNER'S SITE

CONTRACTOR SHALL BE RESPONSIBLE FOR ASSURING THAT ALL THEIR SUB-CONTRACTORS MEET THE SAME MINIMUM IIR, EMR, AND INSURANCE REQUIREMENTS THAT THE OWNER REQUIRES OF ITS PRIME CONTRACTOR. INSURANCE:

CONTRACTOR MUST SUBMIT OR HAVE ON FILE CERTIFICATES OF INSURANCE EVIDENCING COVERAGE AS CALLED OUT IN THE INSURANCE PARAGRAPH OF THE GENERAL TERMS AND CONDITIONS, EXHIBIT A. OWNER SHALL BE NAMED "ADDITIONAL INSURED", AND A WAIVER OF SUBROGATION IN PLACE WITH REGARD TO WORKER'S COMPENSATION.

ENVIRONMENTAL GUIDELINES FOR CONTRACTORS:

CONTRACTOR SHALL FOLLOW ALL OF OWNER'S "ENVIRONMENTAL GUIDELINES FOR CONTRACTORS" RELATED TO LOSS AND ENVIRONMENTAL INCIDENTS AS LISTED IN THE SAFETY AND ENVIRONMENTAL RULES AND REGULATIONS PAMPHLET AVAILABLE FROM OWNER'S SITE REPRESENTATIVE.

Deliver To: GINIEWSKIS

Delivery Location: LOAD AT GROUNDS BLDG.

Delivery Date: 02/06/2004

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CONSIGNED TO: (Mail or Street Address of Cont	signee-For purpose of notification only)	OCCIDENTAL CH	EMICAL CORP
SUPERIOR BARRELL AND DRI	M CO.	FREIGHT PAYME	NT CENTER
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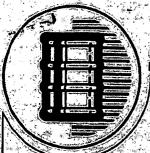
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(II) No more than 2.5 centimeters (one linch) of residue remain on the bottom of the container.

EPA has explained this rule, saying that "one inch of waste material is an overriding constraint and may remain in an empty container only if it cannot be removed by normal means. The rationale for this provision is that there are certain tare and other extremely viscous materials that will remain in the container even after the container is emptied by normal means. For residues of products specifically listed by name in 40 CFR 261.33(e), EPA says the container is empty only "If the container, that been triple-rinsed using a solvent capable of removing" the product or has been cleaned by another method shown to achieve equivalent removal.

**DOTs 49 CFR 173.29 says that all openings on the empty container must be closed, and that all markings and labels must be in place as if the drum were full of its original contents. A DOT shipping paper is not required for transportation of a drum for reconditioning via contract or private motor carrier. DOT placerding is not required for vehicles carrying empty

With regard to most regulated residues EPA's 40 CFR 261.7 says:

AND AND HERMAN (I) All wastes have been removed that can be removed using the practices commonly employed to remove materials from that type of container, e.g., pouring, pumping, and aspirating.

P.O. BOX 741 . GLASSBORO, NJ 08028 . (609) 881-5866 NAME ADDRESS CUSTOMER PO QUANTITY DESCRIPTION PRICE AMOUNT REC'D DRUM CERTIFICATION I hereby certify that these drums are "emply" as that term is defined in the National Environmental Protection regulations, 40 CFR 281.72, and that they have been properly prepared for transportation under the regulations of the U.S. Department of Transportation, 49 CFR

Print Name

Signature

With regard to most regulated residues, EPA's 40 CFR 261.7 says:

With regard to most regulated personal container, its empty it.

"A container, its empty it.

(I) All wastes have been removed that can be removed using the practices commonly employed to remove materials from that type of container, e.g., pouring, pumping, and aspirating.

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SUPERIOR BARREL AND DRUM CO. INC.

218 CRAFTON AVE. • PITMAN, NJ 08071 • (609) 589-6593

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ADDRESS			
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EMPTY DRUM CERTIFICATION

I hereby certify that these drums are "empty" as that term is defined in the National Environmental Protection Agency regulations, 40 CFR 261.7*, and that they have been properly prepared for transportation under the regulations of the U.S. Department of Transportation, 49, CFR 173.29.**

Print Name Lichard & Shille berry
Signature Signature

*With regard to most regulated residues, EPA's 40 CFR 261.7 says:

"A container. .. is empty if:

(I) All wastes have been removed that can be removed using the practices commonly employed to remove materials from that type of container, e.g., pouring, pumping, and aspirating.

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PS Form 3811, August 2001 Domestic Retu	urn Receipt 102595-01-M-250		
2. Article Number (Transfer from service label) 7012 164	0 0001 8519 4092		
	4. Restricted Delivery? (Extra Fee) ☐ Yes		
Occidental Chemical Holding 5005 Lyndon B. Johnson Freeway #2200 Dalfas, Texas- 75244 -Altn Raghaven Rajali	3. Service Type X Certified Mail Express Mail Registered Return Receipt for Merchandise Insured Mail C.O.D.		
Article Addressed to:	D. Is delivery address different from item 1? ☐ Yes If YES, enter delivery address below: ☐ No		
so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits.	B. Received by (Printed Name) C. Date of Delivery 6-16-14		
 Complete Items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse 	A. Signature		
SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY		

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Sender: Please print your name, address, and ZIP+4 in this box

Bonnie Hriczko
U.S. Environmental Protection Agency
Removal Action Branch-(MS-211)
Building 205
2890 Wooodbridge Avenue
Edison, New Jersey 08837-3679